

2008R01039/VGOM/AM/PWG/ms

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Katharine S. Hayden, U.S.D.J.
v.	:	
	:	Crim. No. 16-26
PAUL MIL,	:	
Defendant.	:	CORRECTED FINAL ORDER OF FORFEITURE

WHEREAS, on or about November 28, 2016, the Court entered a Final Order of Forfeiture forfeiting certain specific property to the United States, for disposition according to law (the "Specific Property"). A copy of the Final Order of Forfeiture is attached hereto as Exhibit A and incorporated herein by reference as if set out in full; and

WHEREAS, the government has requested that the language underlined below be added to the descriptions of certain property named in the Final Order to add further detail regarding such property.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED
THAT:

1. The description of the real property identified in paragraph 1 on pages 6-7 of the Final Order of Forfeiture entered on or about November 28, 2016 (the "Final Order") is hereby stricken and replaced with the following:

REAL PROPERTY

- a. 30 W. 63rd Street, Apt. 16J, New York, NY 10023, further described as Block # 1115, Lot # 1856, APN# 1115-1856;
- b. 430 Morris Ave., Elizabeth, NJ 07208, further described as Block # 11, Lot # 778, APN# 04-00011-00778;
- c. 534 Ashwood Road, Springfield, NJ 07081, further described as Block # 2501, Lot # 19, APN# 17-02501-0000-00019;
- d. 44 Golf Oval, Springfield, New Jersey, 07081 further described as Block # 1703, Lot # 11, APN# 170170300011; and
- e. 9 Pearl Street, Beach Haven, NJ 08008, further described as Block # 125, Lot # 2, APN# 00125-0000-00002-C-01.B.

2. The Final Order of Forfeiture shall remain in full force and effect in all other respects.

3. This Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

4. The Clerk of the Court is hereby directed to send copies to all counsel of record.

SO ORDERED this  day of December, 2016.

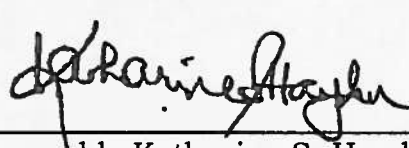

Honorable Katharine S. Hayden
United States Senior District Judge

EXHIBIT A

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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Katharine S. Hayden, U.S.D.J.
v.	:	
	:	Crim. No. 16-26
PAUL MIL,	:	
	:	FINAL ORDER OF FORFEITURE
Defendant.	:	

WHEREAS, on or about January 19, 2016, defendant Paul Mil pleaded guilty pursuant to a plea agreement with the United States to a Three-Count Information, which charged him in Count One with conspiracy to commit health care fraud, contrary to 18 U.S.C. § 1347, in violation of 18 U.S.C. § 1349; in Count Two with Conspiracy to commit money laundering, contrary to 18 U.S.C. § 1957(a), in violation of 18 U.S.C. § 1956(h); and in Count Three with tax evasion, in violation of 26 U.S.C. § 7201;

WHEREAS, as part of his plea agreement, the defendant consented to the forfeiture of the following properties to the United States, pursuant to 18 U.S.C. §§ 982(a)(1) and 982(a)(7), (1) a sum of money equal to \$7,000,000 (the "Money Judgment"); and (2) and all of the defendant's right, title and interest in all property, real and personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of such offenses, including but not limited to the following:

REAL PROPERTY

- a. 30 West 63rd St. Apt. 16J, New York, New York;
- b. 430 Morris Ave., Elizabeth, New Jersey;
- c. 534 Ashwood Rd., Springfield, New Jersey;
- d. 44 Golf Oval, Springfield, New Jersey;
- e. 9 Pearl St. Unit 1B, Beach Haven, New Jersey; and
- f. 3 Kipling Ave., Springfield, New Jersey; however, it was agreed upon by the parties that if Mr. Mil submitted payment to the United States in the amount of \$150,000 on or before the date of sentencing, then this property would not be subject to forfeiture. Mr. Mil submitted payment of \$150,000 to the United States on September 22, 2016.

PERSONAL PROPERTY

1. \$281,350.39 in United States currency previously contained in a Sovereign Bank Free Business Checking Plus Account # xxxxx2678, held by: c/o: Paul Mil—People Choice Home Care, Inc.;
2. \$28,356.14 in United States currency previously contained in Sovereign Bank—Business Checking Account # xxxxx3016, held by: People Choice Home Care;
3. \$32,998.23 in United States currency previously contained in Sovereign Bank—Business Money Market Account #xxxxxx5838, held by: People Choice Home Care;
4. \$23,968.37 in United States currency previously contained in Sovereign Bank—Free Business Checking Account #xxxxxx3015, held by: I & P Business Mgt;
5. \$41,816.12 in United States currency previously contained in Sovereign Bank—Free Business Checking Account xxxxx3198, held by: P & I Enterprise;
6. \$46,700.49 in United States currency previously contained in Sovereign Bank—Premier Checking Account #xxxxxx3260, held by: Paul Mil & Felix Mil;

7. \$312,551.00 in United States Currency Previously Contained In Sovereign Bank—Premier Money Market Account #xxxxx8830, held by: Paul Mil & Felix Mil;
8. \$107,858.89, plus interest accrued in United States Currency previously contained in Wells Fargo Bank—Crown Classic Banking Account #xxxxxxxxx2564, held by: Paul Mil & Bella Mil (deceased);
9. \$139,529.81 in United States currency previously contained in Attorney Trust Account of Belkin Burden Wenig & Goldman;
10. \$33,093.04 in United States currency previously contained in Sovereign Bank Account Number: xxxxx1709, held by: Edens Flow, Inc.;
11. \$5,472.01 in United States currency previously contained in Sovereign Bank Account Number xxxxx4598, held by: PIJ One, LLC;
12. \$858,787.24 in United States currency previously contained in a Sovereign Bank Account (Bank Time Deposit CD) Number XXXXXXXX5865, held by: Felix Mil and Paul Mil;
13. \$24,600.00 in United States currency;
14. 560 Euros currently valued at approximately \$600.85;
15. \$4,900.00 from 49 American Express \$100.00 gift cards; and
16. \$2,236.50 in United States Currency.

(the “Specific Property”);

WHEREAS, on or about July 22, 2016, the Court entered a Consent Judgment of Forfeiture (Money Judgment) imposing upon the defendant a money judgment in the amount of \$7,000,000, at which time the money judgment portion of the forfeiture became final, pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure and a Preliminary Order of Forfeiture

as to Real Property and Personal Property (Final as to the Defendant) as to Paul Mil (the "Preliminary Order"), pursuant to Rule 32.2(b)(2), which forfeited to the United States all of the defendant Paul Mil's right, title and interest in the Specific Property, for disposition according to law, subject to the provisions of 21 U.S.C. § 853(n)(l), as incorporated by 18 U.S.C. § 982(b)(1) and 28 U.S.C. § 2461(c);

WHEREAS, the provisions of 21 U.S.C. § 853(n) and Rule 32.2(b) of the Federal Rules of Criminal Procedure require publication and notice to third parties known to have alleged an interest in forfeited property and the disposition of any petitions filed under Section 853(n) before the United States may have clear title to such property;

WHEREAS, a Notice of Forfeiture was filed with the Court on October 13, 2016, which explained the procedures for asserting a legal right, title or interest in the Specific Property pursuant to 21 U.S.C. § 853(n) and Rule 32.2(b) (the "Notice of Forfeiture");

WHEREAS, pursuant to 21 U.S.C. § 853(n)(1), a Notice of Forfeiture with respect to the Property was posted on an official government internet site, namely www.forfeiture.gov, beginning on August 2, 2016, and running for thirty consecutive days through September 1, 2016, as permitted by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions;

WHEREAS, the published notice explained that any person asserting a legal interest in the Property was required to file a petition with the Court

within sixty (60) days from the first day of publication of the notice on the government internet site, and that if no such petitions were filed, following the expiration of the period for the filing of such petitions, the United States would have clear title to the Property, in accordance with Supplemental Rule G(5)(a)(ii)(B);

WHEREAS, on or about October 17, 2016, copies of the Consent Judgment and Preliminary Order of Forfeiture and the Notice of Forfeiture were sent to the following by certified mail, return receipt requested:

1. Roman Mil
3 Kipling Avenue
Springfield, New Jersey 07081
2. Irina Mil
203 Park Place
Springfield, New Jersey 07081
3. Victoria Leevson
2652 E. 26th Street, Apt. 3B
Brooklyn, New York 11235Palm Coast Homeowners Association, Inc.,
4. Edens Flow LLC-Michael Leibzon
2652 E. 26th Street, Apt. 3B
Brooklyn, New York 11235
5. Irina Krutoyarksy
10 Outlook Way
Springfield, NJ 07081
6. Felix Mil
5 Tudor Oval
Westfield, New Jersey 07090

In the Notice of Forfeiture, the government stated that a petition asserting an interest in the Specific Property had to be filed no later than 35 days of the date of the cover letter.

WHEREAS, pursuant to 21 U.S.C. § 853(n)(7), the United States shall have clear title to any forfeited property where no petitions for a hearing to contest the forfeiture have been filed within sixty (60) days after the first day of publication on an official internet government forfeiture site and no timely petitions were filed by persons who were sent direct notice of the forfeiture, in accordance with the procedures prescribed in Supplemental Rule G(5)(a)(ii)(B);

WHEREAS, no petitions were filed or made in this action as to the Specific Property, no other parties have appeared to contest the action as to the Specific Property to date, and the statutory time periods in which to do so have expired;

WHEREAS, pursuant to 21 U.S.C. § 853(n)(7), the United States is therefore entitled to have clear title to the Specific Property and to warrant good title to any subsequent purchaser or transferee.

NOW, THEREFORE, on the application of Paul J. Fishman, United States Attorney for the District of New Jersey (Anthony Moscato, Assistant United States Attorney, appearing),

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. All right, title and interest in the following property is hereby forfeited to the United States of America for disposition according to law:

REAL PROPERTY

- a. 30 West 63rd St. Apt. 16J, New York, New York;
- b. 430 Morris Ave., Elizabeth, New Jersey;

- c. 534 Ashwood Rd., Springfield, New Jersey;
- d. 44 Golf Oval, Springfield, New Jersey;
- e. 9 Pearl St. Unit 1B, Beach Haven, New Jersey.

PERSONAL PROPERTY

1. \$281,350.39 in United States currency previously contained in a Sovereign Bank Free Business Checking Plus Account # xxxxx2678, held by: c/o: Paul Mil—People Choice Home Care, Inc.;
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12. \$858,787.24 in United States currency previously contained in a Sovereign Bank Account (Bank Time Deposit CD) Number XXXXXXX5865, held by: Felix Mil and Paul Mil;
13. \$24,600.00 in United States currency;
14. 560 Euros currently valued at approximately \$600.85;
15. \$4,900.00 from 49 American Express \$100.00 gift-cards; and
16. \$2,236.50 in United States Currency,

(the "Forfeited Specific Property").

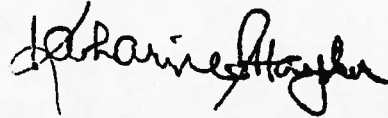
2. Any forfeited money and the net proceeds derived from the sale of the Forfeited Specific Property shall be applied to the Money Judgment imposed upon the defendant, in partial satisfaction thereof.

3. Nothing in this Order shall affect any property subject to the Preliminary Order other than the Forfeited Subject Property, or any petition asserting an interest in any such property.

4. The Court retains jurisdiction to take additional action, enter further orders, and amend this and any future orders as necessary to implement and enforce this Order.

5. The Clerk of the Court is hereby directed to send copies to all
counsel of record.

SO ORDERED this 28th day of November, 2016.

A handwritten signature in black ink, appearing to read "Katharine S. Hayden", written over a horizontal line.

Honorable Katharine S. Hayden
United States Senior District Judge